

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 23-md-03084-CRB (LJC)

**ORDER REGARDING DISCOVERY  
STATUS REPORT**

This Document Relates To:  
  
ALL CASES.

Re: Dkt. No. 3328

This Order briefly addresses certain matters raised in the parties' June 23, 2025 Status Report. Dkt. No. 3328. Other matters raised therein may be addressed at the June 26, 2025 status conference.

**A. Deposition Disputes**

Section I.2 of the Status Report discusses a dispute regarding scheduling certain depositions. Uber asserts that the parties reached an agreement for an expedited briefing schedule. If the parties now agree that there was such an agreement, they shall comply with it. If they do not so agree, they shall file a joint letter raising the dispute no later than June 26, 2025, consistent with Pretrial Order No. 8 except to the extent the schedule set by that Order is not consistent with this deadline. In either event, the Court will constrain its review to the parties' joint letter or other agreed briefing. The Court will not consider arguments regarding this issue presented in today's status report in determining the relevance and propriety of particular depositions.

As a procedural matter, the Court notes that the parties' stipulated Bellwether Deposition Protocol plainly requires that "[t]he parties shall respond with 2 potential dates within 5 business days of receiving the request." Dkt. No. 2738 at 3; Dkt. No. 2745-1 at 3.<sup>1</sup> Where a party seeks to

<sup>1</sup> To the extent that there was any ambiguity as to this point in the Court's previous Orders resolving disputes regarding that deposition protocol, *see* Dkt. Nos. 2754, 2924, all undisputed

1 be excused from this requirement, the Court will consider whether there is good cause to grant that  
2 request. The Court offers the following preliminary guidance. Where a plaintiff has requested to  
3 depose a former employee, and Uber has diligently sought to locate and contact that individual but  
4 the person has been unresponsive and therefore rendered Uber unable to provide two potential  
5 deposition dates within the required five business day time frame, there is good cause to extend  
6 the deadline to provide deposition dates. On the other hand, where there is a dispute as to whether  
7 a current or former employee is relevant to the bellwether case, this substantive dispute does not  
8 excuse Uber from providing two potential deposition dates for individuals with whom Uber is able  
9 to communicate, though those dates may need to be moved if the relevancy dispute has not been  
10 resolved in advance.

11 **B. Subpoena Disputes**

12 The briefing schedule proposed by the parties in section V of the Status Report, to address  
13 disputes regarding litigation funding subpoenas, is hereby adopted. The parties shall either  
14 comply with that schedule or promptly file a joint status report if they resolve those disputes  
15 before briefing is complete.

16 **IT IS SO ORDERED.**

17 Dated: June 24, 2025

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20 LISA J. CISNEROS  
21 United States Magistrate Judge  
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27 provisions of the protocol are hereby ADOPTED as an order of the Court, retroactive to the date  
28 that the parties jointly proposed them. If the parties believe that a standalone order reflecting the  
bellwether deposition protocol would be useful, they may file a stipulation and proposed order that  
reflects the Court's previous rulings on their disputes. In this Court's view, however, the  
undisputed provisions and the Court's previous Orders remain fully effective in the absence of  
such an order consolidating them into a single document.